

REMARKSObjection to the Drawing:

The Examiner objected to Fig. 4 of the drawing as being blurred. Applicant also noticed that a reference “MB” as described at page 5, lines 22-25 was omitted from Fig. 2 of the drawing. Therefore Applicant is submitting, as an Attachment hereto, Replacement sheets for the drawing to correct these noted discrepancies. Thus, grounds for the Examiner’s objection to the drawing have been overcome, and Applicant respectfully requests that the objection to the drawing be withdrawn.

Rejection to Claims 1-22 Under 35 U.S.C. 101

The Examiner also rejected claims 1-22 under 35 U.S.C. 101 as being directed to non-statutory subject matter, but indicated that these claims would be allowable if this rejection is overcome. The Examiner states that these claims recite a method for performing a mathematical function, i.e., there is no physical transform to establish a practical application – a useful, concrete and tangible result appears to be lacking.

Applicant has amended claim 1 to recite that, in addition to “identifying positions in said data record . . . where the value of the correlation curve exceeds at least one user defined threshold”, the step includes “marking a display of said data record accordingly.” Thus, there is a practical application claimed, namely marking a display of the data record that highlights the portions of the data record that correspond to the area of interest to provide a visual presentation for a user. As indicated in the description, this relieves the user of having to visually review the data record – a manual and time consuming procedure – to identify such portions of the data record. Applicant has canceled claim 10, since it is now essentially incorporated into claim 1, and amended the dependency of claim 11 to reference claim 1.

Applicant likewise has amended claim 12 to recite “marking a display of said acquired waveform accordingly”, essentially incorporating claim 21 into claim 12. Also Applicant has changed “data record” to “acquired waveform” throughout claim 12 since there is no antecedent basis for “data record”. Finally Applicant has corrected a

typographical error in claim 12, namely changing "last" to "least". As a consequence, claim 21 is canceled and claim 22 is amended to depend from claim 12.

In view of these amendments to claims 1 and 12, claims 1-9, 11-20 and 22 are now deemed to be allowable as reciting statutory subject matter, and allowance of these claims is urged. Such action and the issuance of this case together with already allowed claims 23-26 are requested.

Respectfully submitted,
PETER J. LETTS

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